

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF MARYLAND

IN RE:

ROBERT E. DAY, JR.

Debtor

Case no. 13-30487-NVA
Chapter 7

KIM MICHELLE STERRETT

Movant

v.

ROBERT E. DAY, JR.

and

LORI SIMPSON, TRUSTEE

Respondents

ORDER LIFTING THE AUTOMATIC STAY
(AS TO PENDING APPEAL FROM CIRCUIT COURT JUDGMENT)

Upon the motion of Kim Michelle Sterrett, movant, to obtain relief from the stay of § 362 of the Bankruptcy Code to allow the appeal filed by the Debtor in the Maryland Court of Special Appeals arising from the Supplemental Memorandum Opinion and

Order entered by the Circuit Court for Howard County on November 18, 2013 (collectively referred to as the "Circuit Court Order") in the divorce action filed by the Movant and captioned Kim Michelle Sterrett-Day v. Robert Eugene Day, Jr., Case no. 13-C-10-84542 (the "Circuit Court Litigation") to proceed, it appearing that the stay is not applicable to those issues on appeal arising from the establishment or modification of domestic support obligations, and that good cause has been shown to allow the stay to be lifted with respect to issues on appeal related to the division of marital property, and no responses having been filed by the trustee or the debtor, it is, by the United States Bankruptcy Court for the District of Maryland,

ORDERED, that the stay of Section 362(a) is hereby lifted to allow the appeal of the Circuit Court Order to proceed, including any remand to the Circuit Court for Howard County issued by the Appellate Court.

cc: Gary R. Greenblatt, Esquire
Constance M. Hare, Esquire
MEHLMAN, GREENBLATT & HARE, LLC
723 South Charles Street, Suite LL3
Baltimore, MD 21230

Reginald Powell, Esquire
785 Silver Maple Circle
Seven Valleys, PA 17360

Lori S. Simpson, Esquire
Law Offices of Lori S. Simpson, LLC
1400 S. Charles Street
Baltimore, MD 21230

Office of the U.S. Trustee
101 West Lombard Street
Suite 2625
Baltimore, MD 21201

Robert E. Day, Jr.
6012 Cloudland Court
Columbia, MD 21044

Kim M. Sterrett
5343 High Wheels Court
Columbia, MD 21044

END OF ORDER